

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI

In Re:
LISA MILLER,

Debtor.

AMERICAN GENERAL FINANCIAL
SERVICES, INC.

Plaintiff,

vs.

LISA MILLER,

Defendant.

Bankruptcy #10-52931

Adversary #

COMPLAINT TO DETERMINE
DISCHARGEABILITY OF DEBT

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COMPLAINT TO DETERMINE DISCHARGEABILITY OF DEBT

Comes now Plaintiff, by its attorney, and in support of its Complaint to Determine Dischargeability of Debt states as follows:

1. This adversary proceeding is being brought pursuant to 11 U.S.C. Sections 523(a)(2)(A) and 523(a)(2)(C), in connection with Defendant's petition for relief under Chapter 7 of Title 11, Case #10-52931, EASTERN District of MISSOURI, which case is presently pending before this Court.

2. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. Section 1334, as referred under 28 U.S.C. Section 157, the same being a "core proceeding" within the meaning of the latter statute.

3. Plaintiff is the holder of a secured claim against Defendant arising from a loan made on account #XXX3651 by Plaintiff to Defendant on or about 10/11/2010 in the amount of \$12,401.50 and Defendant scheduled the indebtedness to Plaintiff for discharge in bankruptcy.

4. Defendant obtained said money in the amount of \$12,401.50 from Plaintiff by false pretenses, false representation or actual fraud, and for that reason the indebtedness to Plaintiff is non-dischargeable in bankruptcy pursuant to 11 U.S.C. Section 523(a)(2)(A).

5. Said loan was obtained 31 days prior to filing Defendant's petition for bankruptcy relief and thus is presumed to be nondischargeable under 11 U.S.C. Section 523(a)(2)(C).

6. The balance due on said account is \$12,417.95 plus interest at the judgment rate from the bankruptcy filing date.

Wherefore Plaintiff prays as follows:

- a. That this Court determine that the debt owed to Plaintiff be non-dischargeable;
- b. That this Court enter judgment in favor of Plaintiff against Defendant for \$12,417.95 plus interest at the judgment rate from the bankruptcy filing date, until paid;
- c. That this Court award Plaintiff its costs herein expended, including reasonable attorney fees determined by this Court;
- d. For such other relief as this Court may deem just and proper under the circumstances.

CORPORATE OWNERSHIP STATEMENT

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/S/GERARD A. NIETERS

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